

**THE UNITED STATES DISTRICT COURT  
THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00168-MR-WCM**

**APRIL LEDFORD,**

**Plaintiff,**

**VS.**

**BRYSON CITY POLICE  
DEPARTMENT, et al.,**

## Defendants.

## ORDER

**THIS MATTER** is before the Court *sua sponte*.

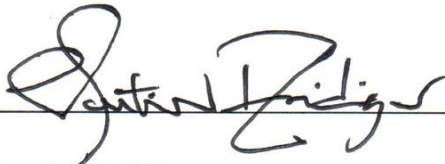
The Plaintiff April Ledford brought this action pursuant to 42 U.S.C. § 1983 against a number of defendants, asserting claims of excessive force, denial of adequate medical care, assault, and unlawful detention. [Doc. 12: Amended Complaint]. After the Court ruled on a number of motions to dismiss, the remaining defendants are: the Bryson City Police Department, the Town of Bryson City, and Chris Dudley. [See Doc. 45]. These Defendants filed an Answer to the Plaintiff's Amended Complaint and a Counterclaim on September 1, 2020. [Doc. 17]. The Plaintiff filed a response to the Defendants' Counterclaim on October 1, 2020. [Doc. 25].

With issues having joined, and in accordance with Local Civil Rule 16.4(c), the Clerk's Office sent a notice to the Plaintiff regarding the availability of the Court's Pro Se Settlement Assistance Program ("PSAP" or the "Program"). The Plaintiff has responded, advising that she wishes to participate in the Program. [Doc. 47].

Local Civil Rule 16.4(c)(3) provides that "[i]f at any time the presiding judge finds in the judge's sole discretion that participation in the Program for a particular case will not serve the Program's purpose or that the Program is not appropriate under the circumstances of a particular case," the Court may decline to refer the case to the Program and order the parties instead to proceed to an initial attorneys' conference. Here, the Clerk has contacted at least five different attorneys over the past two months but has been unable to secure someone to represent the Plaintiff in a PSAP mediation. Rather than delay these proceedings any further, the Court determines in its discretion to withdraw the referral of this case to the Pro Se Settlement Assistance Program. The parties shall be instructed to conduct an initial attorneys' conference in this matter so that this case can move forward.

Accordingly, **IT IS, THEREFORE, ORDERED** that, within twenty-one (21) days of the entry of this Order, the parties shall confer and file a Certificate of Initial Attorneys' Conference.

**IT IS SO ORDERED.**

  
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Martin Reidinger  
Chief United States District Judge

